

### § 305.3

### 7 CFR Ch. III (1–1–09 Edition)

[70 FR 33269, June 7, 2005, as amended at 70 FR 36332, June 23, 2005; 70 FR 72886, Dec. 8, 2005; 71 FR 4459, Jan. 27, 2006; 71 FR 25494, May 1, 2006; 71 FR 55089, Sept. 21, 2006; 72 FR 10907, Mar. 12, 2007; 72 FR 8088, Feb. 23, 2007; 72 FR 34175, June 21, 2007; 72 FR 39498, July 18, 2007; 72 FR 52779, Sept. 17, 2007; 72 FR 51988, Sept. 12, 2007; 73 FR 35212, June 20, 2008; 73 FR 30273, May 27, 2008; 73 FR 32439, June 9, 2008; 73 FR 35212, June 20, 2008]

#### § 305.3 Monitoring and certification of treatments.

(a) All treatments approved under part 305 are subject to monitoring and verification by APHIS.

(b) Any treatment performed outside the United States must be monitored and certified by an inspector or an official from the national plant protection organization (NPPO) of the exporting country. If monitored and certified by an official of the NPPO of the exporting country, the treated commodities must be accompanied by a phytosanitary certificate issued by the NPPO of the exporting country certifying that treatment was applied in accordance with APHIS regulations. The phytosanitary certificate must be provided to an inspector when the commodity is offered for entry into the United States. During the entire interval between treatment and export, the consignment must be stored and handled in a manner that prevents any infestation by pests and noxious weeds.

[72 FR 39498, July 18, 2007]

#### § 305.4 [Reserved]

### Subpart—Chemical Treatments

#### § 305.5 Treatment requirements.

(a) *Certified facility.* The fumigation treatment facility must be certified by APHIS. Facilities are required to be inspected and recertified annually, or as often as APHIS directs, depending upon treatments performed, commodities handled, and operations conducted at the facility. In order to be certified, a fumigation facility must:

(1) Be capable of administering the required dosage range for the required duration and at the appropriate temperature.

(2) Be adequate to contain the fumigant and be constructed from material that is not reactive to the fumigant.

(3) For vacuum fumigation facilities, be constructed to withstand required negative pressure.

(b) *Monitoring.* Treatment must be monitored by an official authorized by APHIS to ensure proper administration of the treatment, including that the correct amount of gas reaches the target organism and that an adequate number and placement of blowers, fans, sampling tubes, or monitoring lines are used in the treatment enclosure. An official authorized by APHIS approves, adjusts, or rejects the treatment.

(c) *Treatment procedures.* (1) To kill the pest, all chemical applications must be administered in accordance with an Environmental Protection Agency (EPA) approved pesticide label and the APHIS-approved treatment schedule prescribed in this part. If EPA cancels approval for the use of a pesticide on a commodity, then the treatment schedule prescribed in this part is no longer authorized for that commodity. If the commodity is not listed on the pesticide label and/or a Federal quarantine or crisis exemption in accordance with FIFRA section 18, then no chemical treatment is available.

(2) Temperature/concentration readings must be taken for items known to be sorptive or whose sorptive properties are unknown when treatment is administered in chambers at normal atmospheric pressure.

(3) The volume of the commodity stacked inside the treatment enclosure must not exceed  $\frac{2}{3}$  of the volume of the enclosure. Stacking must be approved by an official authorized by APHIS before treatment begins. All commodities undergoing treatment must be listed on the label.

(4) Recording and measuring equipment must be adequate to accurately monitor the gas concentration, to ensure the correct amount of gas reaches the pests, and to detect any leaks in the enclosure. At least three sampling tubes or monitoring lines must be used in the treatment enclosure.

(5) An adequate number of blowers or fans must be used inside of the treatment enclosure to uniformly distribute gas throughout the enclosure. The circulation system must be able to recirculate the entire volume of gas in the enclosure in 3 minutes or less.

Animal and Plant Health Inspection Service, USDA

§ 305.6

(6) The exposure period begins after all gas has been introduced. § 305.6 Methyl bromide fumigation treatment schedules.

(7) For vacuum fumigation: The vacuum pump must be able to reduce pressure in the treatment enclosure to 1-2 inches of mercury in 15 minutes or less. (a) Standard schedules.

Treatment schedule	Pressure	Temperature ( °F)	Dosage rate (lb/1000 cubic feet)	Exposure period (hours)
MBOFF .....	NAP <sup>1</sup> .....	70 or above .....	2	3.5
T101-a-1 .....	NAP .....	80 or above .....	1.5	2
		70-79 .....	2	2
		60-69 .....	2.5	2
		50-59 .....	3	2
		40-49 .....	4	2
T101-a-2 .....	15" vacuum .....	90 or above .....	2	2
		80-89 .....	2.5	2
		70-79 .....	3	2
		60-69 .....	3	2.5
		50-59 .....	3	3
		40-49 .....	3	3.5
T101-a-3 .....	See T101-a-1.			
T101-b-1 .....	See T101-a-1.			
T101-b-1-1 .....	NAP .....	80 or above .....	2.5	2
		70-79 .....	3	2
		60-69 .....	4	2
T101-b-2 .....	NAP .....	70 or above .....	2	2
		60-69 .....	2.5	2
		50-59 .....	3	2
		45-49 .....	3.5	2
		40-44 .....	4	2
T101-b-3-1 .....	NAP .....	90 or above .....	2.5	4
		80-89 .....	3	4
		70-79 .....	3.5	4
		60-69 .....	4	4
T101-c-1 .....	NAP .....	70 or above .....	2	4
T101-c-2 .....	26" vacuum .....	70 or above .....	3	3.5
		60-69 .....	3	4
		50-59 .....	3	4.5
		40-49 .....	3	5
T101-c-3 .....	NAP .....	70 or above .....	2	3.5
		65-69 .....	2	4
T101-c-3-1 .....	NAP .....	70 or above .....	3	2
T101-d-1 .....	See T101-a-1.			
T101-d-2 .....	NAP .....	70 or above .....	3.5	11
		60-69 .....	3.5	12
		50-59 .....	3.5	13
		40-49 .....	3.5	14
T101-d-3 .....	NAP .....	70 or above .....	2	3.5
T101-e-1 .....	NAP .....	70 or above .....	3	2.5
		60-69 .....	3	3
		50-59 .....	3	3.5
		40-49 .....	3	4
T101-e-2 .....	15" vacuum .....	90 or above .....	2	1.5
		80-89 .....	2	2
		70-79 .....	2.5	2
		60-69 .....	3	2
		50-59 .....	3	3
		40-49 .....	3	4
T101-e-3 .....	See T101-a-1.			
T101-f-2 .....	15" vacuum .....	90 or above .....	2	3
		80-89 .....	2.5	3
		70-79 .....	3	3
		60-69 .....	3	3.5
T101-f-3 .....	See T101-b-3-1.			
T101-g-1 .....	See T101-a-2.			
T101-g-1-1 .....	NAP .....	90 or above .....	2	3
		80-89 .....	2.5	3
		70-79 .....	3	3
		60-69 .....	3	3.5
		50-59 .....	3	4